

REMARKS

A. Status of Claims

Claims 1 – 5 are pending in the application. Claims 1 and 5 have been amended herein. Support for the amendment can be found in paragraphs [0051] and [0052]. No new matter has been added.

B. Summary Of Office Action

The Examiner has rejected claims 1, 3-5 under 35 U.S.C. 102(e) as being unpatentable over U.S. Pat. Publication 2002/0162019 to Berry (“Berry”). Claim 2 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Berry in view of U.S. Pat. Publication 2002/0016910 to Wright (“Wright”).

C. Response

1. Information Disclosure Statements

The Applicant requests the Examiner’s consideration and return of the initialed Form PTO-1449 for the Information Disclosure Statement mailed September 22, 2003 and requests the Examiner’s consideration of the new Supplemental Information Disclosure Statement, transmitted herewith.

2. Claim Rejections

The Applicant respectfully traverses the Examiner’s rejections and requests reconsideration of the claims in view of the amendments made herein and the following remarks.

None of the references cited by the Examiner, alone or in combination, disclose, teach or suggest the elements of claims 1 – 5, as amended. At a minimum, none of the references disclose step (d) of claim 1 (and its dependents) and the corresponding element of system claim 5, as amended, namely, “automatically updating an access control list with at least one of (i) a

public key of the second user and the label and (ii) information that allows retrieval of a public key of the second user and the label” (hereinafter referred to as the “automatic updating element”).

Berry discloses a capabilities-based approach to delegation with no access control list nor any possibility of using one because Berry is directed to delegating permissions in an off-line environment. Further, Berry discloses delegating “permissions” unlike the claimed invention which is directed to providing a “label” to a recipient; the “permission” requires cryptographic information to be included therein, whereas the “label” has no such requirement (i.e., instead, the public key of the label recipient is stored in an access control list). Thus, the method of delegation disclosed in Berry is substantially different from the claimed invention.

Nor does Wright make up for the deficiencies in Berry. Wright discloses methods for secure distribution of documents over electronic networks and, in particular, “novel clueing and encryption mechanisms.” Wright, page 1, paragraph 0011. Wright provides techniques for encryption and secure distribution of information to users who do not possess their own public key using semiprivate keys and clueing. Wright, page 2, paragraph 0017. Wright discloses a user selecting “to produce a semiprivate key for the encryption of a particular document. The user has entered a keyphrase and cluephrase for the semiprivate key. The public component of the semiprivate key is used to encrypt the document, and the encrypted document is then stored in the user’s private data area. The user has also entered the email addresses of all users who should be allowed to view the encrypted document. Once the process is complete, emails may be sent to all the receiving parties, informing them to go to a particular Web site to retrieve an encrypted document. Thus, in the simplest user implementation, the user simply selects a document to share, selects a key phrase and cluephrase, and enters the receiving parties’ email

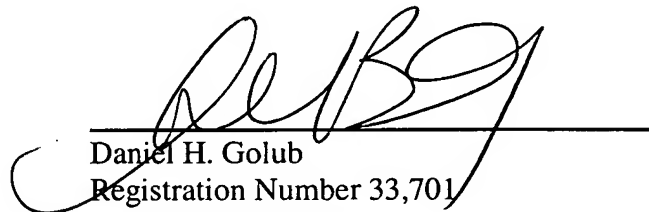
addresses to allow secure document exchange with those parties.” Wright, page 8, paragraph 0071. Further, in Wright, the key is created by the sender, rather than the recipient and, therefore, cannot be automatically added to an access control list in the manner provided by the claims (i.e., because it is created by the sender). Thus, Wright does not disclose or suggest the automatic updating element required by the claims.

CONCLUSION

In view of the foregoing, it is respectfully submitted that all pending claims are in condition for allowance. Applicant respectfully requests the withdrawal of the pending rejections and the timely allowance of the pending claims. If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. The Examiner is invited to contact the undersigned at 215-963-5091 to discuss any matter concerning this application.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



Daniel H. Golub
Registration Number 33,701
Alison B. Weisberg
Registration Number 45,206

Dated: March 4, 2004

MORGAN, LEWIS & BOCKIUS LLP
1701 Market Street
Philadelphia, PA 19103
(215) 963-5091